

# Exhibit 1

**UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION**

**Jessica Gifford,** )  
vs. )  
**Plaintiff,** )  
 )  
**Horry County Police Department, and** )  
**Saundra Rhodes,** )  
**Defendants.** )  
 )  
C.A. No.: 4:16-cv-03136-MGL

## **Affidavit of Robert F. Goings, Esquire**

Personally, appeared before me, the undersigned Notary, for Richland County, South Carolina, Robert F. Goings, who being duly sworn and states under oath the following:

1. I am a licensed attorney in the State of South Carolina, and I am a founding partner of Goings Law Firm, LLC located at 1510 Calhoun Street, Columbia, South Carolina, 29204.

2. I graduated from the University of South Carolina School of Law in 2006. I have been admitted to the United States District Court for the District of South Carolina and the United States Court of Appeals for the Fourth Circuit.

3. I am a member of the South Carolina Bar, the American Board of Directors (where I served as the 2020 President of the SC Chapter and currently serve as the National Board Representative and Committee Chair), and have been awarded the “Compleat Lawyer Award” by the University of South Carolina School of Law.

4. I have been asked by James B. Moore III, Scott C. Evans, and Amy Lawrence, counsel in above-captioned matter, to provide this affidavit regarding the market rate for hourly billing in comparable cases involving complex claims such as those involved in this case.

5. Throughout my career I have had the opportunity to participate in multiple cases that I consider complex. I have participated in personal injury and wrongful death cases arising out of multiple scenarios. I have handled a number of cases involving violations of constitutional rights and qualified immunity. It is my view that when one has to deal with multiple constitutional related issues and the liability and immunity issues at hand in this matter, the action does present complex legal issues.

6. In addressing the reasonable hourly rates, I draw upon my more than fifteen years of practice and personal knowledge of hourly rates of law firms throughout South Carolina. In the State of South Carolina, I have seen hourly rates range from \$300 per hour to \$1000 per hour for litigators. While I have also seen rates lower than \$300 per hour, those rates were generally based upon work performed by attorneys newly admitted to the bar or attorneys performing non-litigation type contract work.

7. I have personally known James Moore and Scott Evans for a number of years and have had the opportunity to litigate cases with them and observe them in the practice of law. I have actually watched both try cases before juries and I have served as their co-counsel in various personal injury and civil rights litigation. I've always been impressed with their high level of preparation and skill in the courtroom. I considered them to very to be very talented and seasoned litigators, and among the very best in South Carolina for civil rights litigation. In establishing an hourly rate, an attorney values their time and services based on their entire experience and the unique skill sets he/she has developed in handling areas of litigation.

8. In providing this affidavit, I understand that this case was tried to a verdict in the United States District Court for the District of South Carolina, Columbia Division, before the Honorable Mary G. Lewis. I further understand that the jury returned a verdict in favor of the

Plaintiff in the amount of \$500,000 in compensatory damages for 3 occurrences of negligence. I understand that the jury also found that Defendant Saundra Rhodes, the former chief of police, violated Plaintiff's constitutional rights by demonstrating deliberate indifference in the supervision of her subordinate officer, former Detective Allen Large, and awarded a nominal verdict of \$1 pursuant to this claim.

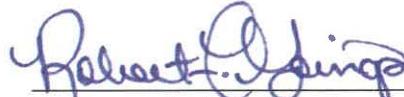
9. It is my belief that James Moore, Scott Evans, and Amy Lawrence had to use considerable legal skills and resources in the pursuit on this action. In dealing with the allegations in this matter relating to constitutional supervisory liability, one starts with a difficult perception by the community that law enforcement officers are generally reasonable and deserve every benefit of the doubt in judging law enforcement conduct. This perception is coupled with the difficult legal burden set forth by the doctrine of qualified immunity and the fact that the detective who abused the Plaintiff was deceased and not a named defendant. The legal work in this case was exceptional as shown by the outstanding result on behalf of the Plaintiff in this matter.

10. It is my view that the reasonable hourly rate for this type of legal work including complex cases and civil rights litigation would range from \$350 per hour to \$750 per hour. Based on experience, skill, and reputation of Attorneys James Moore and Scott Evans, it is my professional opinion that a reasonable hourly fee for both of them should be no less than \$500 an hour.

11. Additionally, an hourly rate of \$200 to \$350 per hour for associate time is well within the range of current market rates. I have been also asked to comment considering the reasonable hourly rate for legal assistants and paralegal assistants. It is my professional opinion that reasonable hourly rates for legal assistants would range from \$125 per hour to \$175 per hour.

12. The foregoing statements are based upon my own personal knowledge and experience.

Signed this 1<sup>st</sup> day of June, 2022.

  
Robert F. Goings

Sworn to before me this the 1<sup>st</sup> day of June, 2022

Melissa M. Goings, Esquire

Notary Public for South Carolina

My Commission Expires: 11/11/2032

